

ORDINANCE NO. 2014-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY PROVIDING FOR AMENDMENTS AND CHANGES TO ZONING REGULATIONS BY AMENDING SECTION 67, AMENDMENTS PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That Ordinance No. 82-73, the Comprehensive Zoning Ordinance of the City of Grapevine, Texas, same being also known as Appendix "D" of the City Code is hereby amended in the following particulars, and all other sections, subsections, paragraphs, definitions, words and phrases of said Appendix "D" and not amended but hereby ratified, verified, and affirmed:

A. That Section 67, Amendments is hereby amended by amending subsection A.3. to read as follows:

"3. A waiting period of one (1) year between the date an application for amendment to the zoning ordinance, or a requested change in zoning, is denied by the City Council and a new application for such a change or amendment is accepted, is hereby established. The one-year waiting period shall be applicable to all requested amendments and changes for the same zoning district, or districts, on all or any portion of the property previously considered for amendment or change in zoning; provided, however, said one-year waiting period shall not be applicable to any proposed amendment or change instituted by the City Council or Planning and Zoning Commission or to any proposed amendment or change denied by the City Council without prejudice. For purposes of this section, denied by the City Council shall mean that on final reading: (a) a motion by the City Council to deny the requested zoning change passed by a majority of the quorum present and voting; or (b) a motion by the City Council to deny or approve the requested zoning change received a tie vote of the quorum present and voting; or (c) a motion by the City Council to approve the requested zoning change failed for lack

of having the necessary votes; or (d) a motion by the City Council to approve a withdrawal of a requested zone change, when requested by the applicant, that is approved by a majority of the quorum present and voting. A denial without prejudice must be expressly granted by the City Council, except that a tie vote shall automatically constitute a denial without prejudice.

An application for an amendment to the zoning ordinance or a requested change in zoning can be tabled (postponed) no more than once and must be scheduled to be heard no later than the next scheduled joint public hearing. This requirement also applies to applications being considered during the Planning and Zoning Commission's deliberations. This requirement shall not apply to requests to table initiated by city staff, the City Council, or the Planning and Zoning Commission."

Section 2. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand Dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 3. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstances is held invalid or unconstitutional by a Court or competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. That the fact that the present ordinances and regulations of the City of Grapevine, Texas, are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the City of Grapevine, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which requires that this ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 18th day of February 2014.


APPROVED:




William D. Tate  
Mayor



ATTEST:

  
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Jodi C. Brown  
City Secretary

APPROVED AS TO FORM:

  
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John F. Boyle, Jr.  
City Attorney